



**Testimony
Betsy Gara, Executive Director
Connecticut Council of Small Towns
Before the
Labor & Public Employees Committee
January 29, 2015**

**RE: SUPPORT – HB-5211 - AN ACT CONCERNING UNFAIR LABOR PRACTICES
AND ARBITRATION DECISION TIMELINES**

The Connecticut Council of Small Towns (COST) *strongly supports* HB-5211, which would require that decisions rendered pursuant to the arbitration of unfair labor practices be issued not later than sixty days after the post-hearing briefs are filed.

Procedural delays in rendering an arbitration decision are unfair and costly to both employees and employers. Although current law requires decisions in arbitration cases to be issued within 15 days, this deadline has been determined to be directory rather than mandatory, according to attorney general opinions and various court rulings. As a result, parties may face delays of up to six months or a year, which may exacerbate costs in issues involving termination and back pay awards.

Recognizing this, the American Arbitration Association requires arbitrators to issue a decision within 35 days after the close of hearing and the filing of briefs. In addition, Connecticut state statute requires arbitration awards to be issued within 30 days, absent a different contractual deadline or the agreement of the parties. Section 52-416 of the Connecticut General Statutes requires that if “the time within which an award is rendered has not been fixed in the arbitration agreement, the arbitrator or arbitrators or umpire shall render the award within thirty days from the date the hearing or hearings are completed, or, if the parties are to submit additional material after the hearing or hearings, thirty days from the date fixed by the arbitrator or arbitrators or umpire for the receipt of the material.” Thus, there is clearly precedent for requiring awards to be issued within a specific timeframe.

Requiring decisions in unfair labor practices arbitration cases to be issued not later than 60 days after the post-hearing briefs are filed is a reasonable solution that will help address concerns with the local grievance arbitration process for all parties. COST urges your support for HB-5211.

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